IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10486 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KANTI CERAMICS

Versus

MINABEN AMRUTBHAI

Appearance:

MR KH BAXI for Petitioner

MR RM PARMAR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 10/10/2000

ORAL JUDGEMENT

Learned Advocate representing the petitioner Mr.K.H.Baxil as well as learned Advocate Mr.R.M.Parmar, representing respondent no.1 are present.

Though the matter is listed at sr.no.15 of the final hearing board, it is stated at bar that the matter has become infructuous as the impugned award in the proceeding of review application has been set aside by the Presiding Officer, Labour Court, Rajkot. It is stated that in view of the said decision the petitioner does not press further prosecution of the present petition at this stage. However, a request is made on behalf of the petitioner that an amount of Rs.40,000/has been deposited pursuant to earlier order of this Court, the same may be ordered to be returned to the petitioner.

The learned Advocate appearing for respondent no.1, has no objection if the amount deposited in this Court is returned to the petitioner on condition that the labour court be directed to dispose of Reference (LCR) No.1472/88 within stipulated period.

On the basis of the above stated facts the petition stands disposed of as not pressed. Rule is discharged. However, the Labour Court, Rajkot is directed to dispose of Reference (LCR) No.1472/88 as early as possible preferably within eight weeks from the date of the receipt of the writ.

The office is directed to return the amount of Rs.40,000/- deposited by the petitioner in this Court pursuant to earlier order dated 11.01.2000 after due verification. Payment shall be made by a crossed cheque in the name of the petitioner and be handed over to learned Advocate for the petitioner.

(A.K.Trivedi, J)

m.m.bhatt